

ORDINANCE NO. 000406-13

AN ORDINANCE RELATING TO IMPERVIOUS COVER CREDITS RETAINED BY WILLIAM S. WALTERS, III AND SUPERSEDING CHAPTER 25-8, SUBCHAPTER A (WATER QUALITY) OF THE CITY CODE TO THE EXTENT OF CONFLICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. IMPERVIOUS COVER CREDITS.

Except as otherwise provided in this ordinance, William S. Walters, III, Trustee, is permitted to retain the rights to 335,000 square feet of impervious cover credits from the approximately 60.127 acres of real property purchased by the City of Austin and located southwest of the intersection of Capital of Texas Highway South (Loop 360) and MoPac.

PART 2. CONDITIONS.

The impervious cover credits described in Part 1 are subject to the following conditions:

- (1) William S. Walters, III, Trustee, must allocate 160,000 of the 335,000 square feet of impervious cover credits to the development of the Oak Hill Technology Park, consisting of 22.352 acres located at 4815 Boston Lane and 5366 and 5408 U.S. Highway 290 West at Southwest Parkway, as more particularly described on Exhibit "A". The allocation does not affect the validity of any restrictive covenants running with the Oak Hill Technology Park land. Oak Hill Technology Park must comply with the non-impervious cover requirements of Chapter 25-8, Article 12 (*Save Our Springs Initiative*).
- (2) William S. Walters, III, Trustee, may allocate the remaining 175,000 square feet of impervious cover credits to any development located inside the desired development zone, as described in Section 25-1-21 of the City Code and as it exists on April 10, 2000, if:
 - (a) written notice of the proposed allocation is provided to the director of the City's Development Review and Inspection Department; and

- (b) the written notice includes a legal description of the receiving tract, the number of square feet of impervious credits proposed to be allocated, the number of square feet from the original 175,000 remaining after the proposed allocation, and the percentage of total impervious cover on the tract.
- (3) William S. Walters, III, Trustee, may assign all or a portion of the 175,000 square feet of impervious cover credit to a third party after written notice to the director of the City's Development Review and Inspection Department.

PART 3. TERMINATION.

Impervious cover credits not allocated to development by April 10, 2015, shall expire on that date.

PART 4. RELATIONSHIP TO OTHER LAW.

This ordinance supercedes Chapter 25-8, Subchapter A (*Water Quality*) of the City Code to the extent of conflict.

PART 5. WAIVER.

The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 6. EFFECTIVE DATE.

This ordinance takes effect on April 17, 2000.

PASSED AND APPROVED

_____ April 6 _____, 2000 §  §
Kirk Watson
Mayor

APPROVED: 
Andrew Martin
City Attorney

ATTEST: 
Shirley A. Brown
City Clerk

17.676 ACRES
LOT 3, BLOCK A
OAK HILL TECHNOLOGY PARK

FN NO. 00-066 (CLS)
FEBRUARY 21, 2000
BPI JOB NO. 652-05.20

DESCRIPTION

OF A 17.676 ACRE TRACT OR PARCEL OF LAND OUT OF THE THOMAS ANDERSON SURVEY NO. 17, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT CONVEYED TO WHITE PROPERTIES BY DEED OF RECORD IN VOLUME 10028, PAGE 602 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN 17.00 ACRE TRACT CONVEYED TO WHITE PROPERTIES BY DEED OF RECORD IN VOLUME 10076, PAGE 968 OF SAID REAL PROPERTY RECORDS AND ALSO BEING ALL OF THAT CERTAIN 4.00 ACRE TRACT CONVEYED TO WHITE PROPERTIES BY DEED OF RECORD IN VOLUME 10028, PAGE 594 OF SAID REAL PROPERTY RECORDS; SAID 17.676 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod found in the northerly right-of-way line of U.S. Highway 290, being the southwesterly corner of said 17.00 acres, also being the southeasterly corner of the Resubdivision of Lot 1-A Block A Oak Hill Industrial Park Section Two, a subdivision of record in Book 77, Page 11 of the Plat Records of Travis County, Texas;

THENCE, N29°38'00"E, leaving the northerly line of U.S. Highway 290, along the westerly line of said 17.00 acres, being the easterly line of said Resubdivision, a distance of 712.97 feet to a 1/2 inch iron rod set with cap for the POINT OF BEGINNING hereof, being in the easterly line of Oak Hill Industrial Park Section Two, a subdivision of record in Book 76, Page 142 of said Plat Records;

THENCE, N29°38'00"E, continuing along the westerly line of said 17.00 acres, being the easterly line of said Oak Hill Industrial Park Section Two, a distance of 378.82 feet to an iron pipe found being an interior corner of said 17.00 acres, being the most easterly corner of said Oak Hill Industrial Park Section Two;

THENCE, N59°40'29"W, leaving the most easterly corner of said Oak Hill Industrial Park Section Two, along the north line of said Oak Hill Industrial Park Section Two, same being the westerly line of said 17.00 acres, a distance of 301.12 feet to an iron pipe found for an angle point hereof;

THENCE, N29°34'26"E, along the westerly line of said 17.00 acre tract, being the easterly line of a 48.6470 acre tract conveyed to T.O. Murphy by Deed of Record in Volume 12094, Page 1408 of said Real Property Records, a distance of 622.21 feet to a 1/2 inch iron rod found in the southerly right of way line of Southwest Parkway (R.O.W. varies) for the northwesterly corner of 17.00 acres and hereof;

THENCE, S59°43'00"E, along the southerly line of Southwest Parkway being the northerly line of said 17.00 acres, a distance of 654.69 feet to a 1/2 inch iron rod set with cap for an angle point hereof;

THENCE, S59°48'00"E, continuing along the southerly line of Southwest Parkway being the northerly line of said 17.00 acres, a distance of 147.39 feet to a 1/2 inch iron rod set with cap being the northwesterly corner of a 4.68 acre tract of land conveyed to D. Kent Lance, Jr. by Deed of Record In Document No. 1999149270 of the Official Public Records of Travis County, Texas, and also being the northeasterly corner of said 4.00 acre tract and hereof;

THENCE, S29°38'00"W, along the easterly line of said 4.00 acre tract also being in part the westerly line of said 4.68 acre tract and in part the westerly line of a 5.34 acre tract of land conveyed to South Austin Marine, Inc., by deed of record in Volume 7993, Page 207 of said Real Property Records, a distance of 1185.40 feet to a 1/2 inch iron rod found, being the southeasterly corner of said 4.00 acres, also being the northeasterly corner of that certain 1.102 acre tract conveyed to Joseph J. Hajjar by Deed of Record in Volume 12120, Page 1918 of said Real Property Records;

THENCE, N59°46'29"W, leaving the westerly line of said 5.34 acres, along the southerly line of said 4.00 acres, being the northerly line of said 1.102 acres, a distance of 147.39 feet to an iron pipe found in the easterly line of said 17.00 acres, being the southwesterly corner of said 4.00 acres, and also being the northwesterly corner of said 1.102 acres;

THENCE, S29°39'50"W, along the easterly line of said 17.00 acres, being the westerly line of said 1.102 acres, a distance of 136.85 feet to a 1/2 inch iron rod found, being an angle point in the easterly line of said 17.00 acres, also being an angle point in the westerly line of said 1.102 acres;

THENCE, S89°58'21"W, continuing along the easterly line of said 17.00 acres, being the westerly line of said 1.102 acres, a distance of 24.28 feet to a 1/2 inch iron rod found, being an angle point in the westerly line of said 1.102 acres, also being the northeasterly corner of that certain tract conveyed to White Properties by deed of record in Volume 10028, Page 602 of said Real Property Records;

THENCE, S29°59'38"W, leaving the easterly line of said 17.00 acres, along the easterly line of said White Properties tract, being the westerly line of said 1.102 acres, a distance of 199.64 feet to a 1/2 inch iron rod found in the northerly line of U.S. Highway 290 (R.O.W. varies), being the southeasterly corner of said White Properties tract, also being the southeasterly corner hereof;

THENCE, N88°09'05"W along the northerly line of U.S. Highway 290, being in part the southerly line of said White Properties tract recorded in Volume 10028, Page 602 and in part the southerly line of said 17.00 acres, a distance of 92.12 feet to a 1/2 inch iron rod set with cap for an angle point hereof;

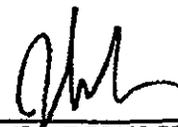
THENCE, N24°38'24"E, leaving the northerly line of U.S. Highway 290, over and across said 17.00 acre tract, a distance of 41.61 feet to a 1/2 inch iron rod set with cap for an angle point in the westerly line hereof;

THENCE, N29°38'00"E, continuing over and across said 17.00 acre tract, along the westerly line hereof, a distance of 538.08 feet to a 1/2 inch iron rod set with cap for an angle point hereof;

THENCE, N60°22'00"W, continuing over and across said 17.00 acre tract, a distance of 245.35 feet to the POINT OF BEGINNING containing an area of 17.676 acres (769,977 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD, SUITE 200
AUSTIN, TEXAS 78746



JOHN T. BILNOSKI
R.P.L.S. NO. 4998
STATE OF TEXAS

2/21/00
DATE



FIELD NOTES
FOR

2.211 ACRES - TRACT 1

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE THOMAS ANDERSON SURVEY NO. 17 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 10.0 ACRE TRACT OF LAND CONVEYED TO ROY D. AUSTIN AND ESTHER O. AUSTIN BY INSTRUMENT RECORDED IN VOLUME 757, PAGE 464 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND CALLED 2.21 ACRES AS DESCRIBED IN VOLUME 7487, PAGE 108 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron pin found at the most Easterly corner of said 2.21 acre tract, being in the Southerly r.o.w. line of Southwest Parkway (Boston Lane), a public right-of-way varying in width, for the most Easterly corner and PLACE OF BEGINNING hereof;

THENCE along the Southeast line of said 2.21 acre tract, being in part along the Northwest line of Lot 1, Altha Martin Subdivision, a subdivision in Travis County, Texas, recorded in Volume 53, Page 13 of the Plat Records of Travis County, Texas, S 29°58'00" W for a distance of 342.15 feet to a 3/4 inch iron pipe found at the most Westerly corner of said Lot 1, being at the most Northerly corner of Boston 290 Office Park Section Two, a subdivision recorded in Volume 91, Pages 334-335 of the Plat Records of Travis County, Texas;

THENCE continuing along the Southeast line of said 2.21 acre tract, being along the Northwest line of Boston 290 Office Park Section Two, S 29°46'00" W for a distance of 287.31 feet to a 1/2 inch iron pin found at the most Southerly corner of said 2.21 acre tract, being at the most Easterly corner of that certain 5.34 acre tract of land conveyed to South Austin Marine, Inc. by instrument recorded in Volume 7993, Page 207 of the Deed Records of Travis County, Texas, for the most Southerly corner hereof;

THENCE along the Southwest line of said 2.21 acre tract, being along the Northeast line of said 5.34 acre tract, N 60°17'42" W for a distance of 321.88 feet to a 3/4 inch iron pipe found at the most Westerly corner of said 2.21 acre tract, being in the Southeast line of that certain 4.00 acre tract of land conveyed to White Properties by instrument recorded in Volume 10028, Page 594 of the Real Property Records of Travis County, Texas, for the most Westerly corner hereof;

THENCE along the Northwest line of said 2.21 acre tract, N 29°36'21" E for a distance of 202.86 feet to a 1/2 inch capped iron pin set at a Westerly corner of said 2.21 acre tract, being at the most Westerly corner of that certain tract of land called 2.47 acres as described in Volume 7487, Page 108 of the Deed Records of Travis County, Texas, for a Westerly corner hereof;

FIELD NOTES
FOR

2.211 ACRES - TRACT 1 - Page Two

THENCE continuing along the Northwest line of said 2.21 acre tract, being along the Southwest line of said 2.47 acre tract, S 69°06'09" E for a distance of 265.48 feet to a 1/2 inch capped iron pin set at the most Southerly corner of said 2.47 acre tract, for an inside ell corner hereof;

THENCE continuing along the Northwest line of said 2.21 acre tract, being along the Southeast line of said 2.47 acre tract, N 29°58'00" E for a distance of 386.71 feet to a 1/2 inch capped iron pin set at the most Northerly corner of said 2.21 acre tract, being the most Easterly corner of said 2.47 acre tract, being in the Southerly r.o.w. line of Southwest Parkway, for the most Northerly corner hereof;

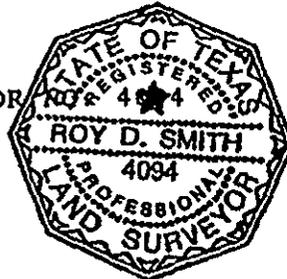
THENCE along the Northeast line of said 2.21 acre tract, being along the Southerly r.o.w. line of Southwest Parkway, S 59°34'00" E for a distance of 60.00 feet to the PLACE OF BEGINNING and containing 2.211 acres of land, more or less.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith

ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR

Job No. 2254



FIELD NOTES
FOR

2.465 ACRES - TRACT 2

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE THOMAS ANDERSON SURVEY NO. 17 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 10.0 ACRE TRACT OF LAND CONVEYED TO ROY D. AUSTIN AND ESTHER O. AUSTIN BY INSTRUMENT RECORDED IN VOLUME 757, PAGE 464 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND CALLED 2.47 ACRES AS DESCRIBED IN VOLUME 7487, PAGE 108 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch capped iron pin set at the most Easterly corner of said 2.47 acre tract, being at the most Northerly corner of that certain tract of land called 2.21 acres as described in Volume 7487, Page 108 of the Deed Records of Travis County, Texas, being in the Southerly r.o.w. line of Southwest Parkway (Boston Lane), a public right-of-way varying in width, for the most Easterly corner and PLACE OF BEGINNING hereof;

THENCE along the Southeast line of said 2.47 acre tract, being along the Northwest line of said 2.21 acre tract, S 29°58'00" W for a distance of 386.71 feet to a 1/2 inch capped iron pin set at the most Southerly corner of said 2.47 acre tract for the most Southerly corner hereof;

THENCE along the Southwest line of said 2.47 acre tract, being along the Northwest line of said 2.21 acre tract, N 69°06'09" W for a distance of 265.48 feet to a 1/2 inch capped iron pin set at the most Westerly corner of said 2.47 acre tract, being in the Southeast line of that certain 4.00 acre tract of land conveyed to White Properties by instrument recorded in Volume 10028, Page 594 of the Real Property Records of Travis County, Texas, for the most Westerly corner hereof;

THENCE along the Northwest line of said 2.47 acre tract, being along the Southeast line of said 4.00 acre tract, N 29°49'21" E for a distance of 430.70 feet to a 1/2 inch capped iron pin set at the most Northerly corner of said 2.47 acre tract, being in the Southerly r.o.w. line of Southwest Parkway, for the most Northerly corner hereof;

FIELD NOTES
FOR

2.465 ACRES - TRACT 2 - Page Two

THENCE along the Northeast line of said 2.47 acre tract, being along the Southerly r.o.w. line of Southwest Parkway, S 59°34'00" E for a distance of 263.25 feet to the PLACE OF BEGINNING and containing 2.465 acres of land, more or less.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith

ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR, NO. 4094
July 14, 1999

Job No. 2254

